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Case No. BP0207US-03

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: 10/765,267

Confirmation No.: 9577

Applicant(s)

Pappin et al.

Filed

01/27/2004

TC/A.U.

1626

Examiner

Nyeemah Grazier

For

METHODS, MIXTURES AND

KITS PERTAINING TO

ANALYTE DETERMINATION

Customer No.

23544

## CERTIFICATE OF MAILING

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## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO/SB/08A) of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

- (a) [] accompanies a new patent application submitted herewith.
- (b) [] is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) [] as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.
- (d) [] as far as is known to the undersigned, is filed before the mailing date of a first

- Office action after the filing of a request for continued examination under § 1.114.

  (e) [x] is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.
- (f) [] is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) and a certification as specified in 37 CFR §1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement. The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

[]	Each item of information contained in the information disclosure statement was
	first cited in a communication mailed from a foreign patent office in a counterpart
	foreign application not more than three months prior to the filing of this
	information disclosure statement.

[]	No item of information contained in this information disclosure statement was
	cited in a communication mailed from a foreign patent office in a counterpart
	foreign application, and, to the knowledge of the undersigned after making
	reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c)
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A copy of the items on PTO/SB/08A that are not United States Publications:

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While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Date: 1/16/0C

Brian D. Gildea

Attorney for Applicants

Reg. No. 39,995

Telephone: 508-383-7632

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Substitute for form 1449A/PTO

## NFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Con	Complete if Known				
Application Number	10/765,267				
Filing Date	01/27/2004				
First Named Inventor	Pappin, Darryl et al.				
Group Art Unit	1626				
Examiner Name	Nyeemah Grazier				
Attorney Docket No.	BP0207US-03				
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	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document Number Kind Code <sup>2</sup>		Name of Patentee or Applicant of Cited Document		Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
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	BZ		WO2003/ 056343	A2	JAMES, Peter	07-10-2003		
	CA		WO03/078584	A2	Thermo Finnigan	09-25-2003		ĺ
	СВ		WO04/086050	A2	Xzillion GmbH & Co. KG	10-07-2004		
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>8</sup> Applicant is to place a check mark here if English language Translation is attached.



<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Complete if Known Substitute for form 1449A/PTO **Application Number** 10/765,267 **Filing Date** 01/27/2004 INFORMATION DISCLOSURE **First Named Inventor** Pappin, Darryl et al. STATEMENT BY APPLICANT **Group Art Unit** 1626 **Examiner Name** Nyeemah Grazier (Use as many sheets as necessary) 3 Attorney Docket No. Sheet BP0207US-03

		OTHER ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²		
	GT	Barlett Jones, M., et al., "Peptide Ladder Sequencing by Mass Spectrometry Using a Novel, Volatile Degradation Reagent", Rapid Communications in Mass Spectrometry, Vol 8, 737-742 (1994)			
	GU	Day, Richard et al, "N-Terminal Groups in Mass Spectrometry of Peptides. A Study Including Some New and Useful Derivatives", J. Org. Chem., Vol 38, No. 4, 1975 782-788			
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	GZ	Medzihradszky, Katalin et al, "Peptide Sequence Determination by Matrix-Assisted Laser Desorption Ionization Employing a Tandem Double Focusing Magnetic-Orthogonal Acceleration Time- of-Flight Mass Spectrometer", American Society for Mass Spectrometry, 1996, 7, 1-10			
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Signature	Considered	

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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>8</sup> Applicant is to place a check mark here if English language Translation is attached.

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Attorney Docket No.

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нв	SuBmuth, R., et al, "Impact of Mass Spectrometry on Combinatorial Chemistry", Journal of Chromatography B, 725 (1999) 49-65
нс	Roth, Kenneth et al, "Charge Derivatization of Peptides for Analysis by Mass Spectrometry", Mass Spectrometry Reviews, 1998, 17, 255-274
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Signature	Considered

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